

This is a transcription of episode 5 of Season Two of In the Dark. Italics indicate audio. Musical notations and other production elements aren't included. Because there may be imprecisions in the transcript, the audio should be considered the official record of the episode.

Episode 5: Privilege

Previously, on In the Dark.

Fred Veal: He said, 'I got something for you to do.' He said, 'I'm going to put you in the cell with Curtis Flowers. If you can get some information out of him that he did that murder, I'll let you go.'

Patricia Hallmon: Well, we called him Cookie Monster, and as he grew they took the monster off and just said, 'Cookie.'

Joanne Young: Odell got away with everything. He got privilege, a lot of privilege.

VIDEO: John Johnson. The following is a voluntary statement from Odell Hallmon, no middle name, also known as Cookie. You are contacting us and volunteering this statement, is that correct?

Odell Hallmon: Right.

John Johnson: That we haven't promised you any reward or smooth treatment or nothing, is that correct?

Odell Hallmon: No, sir. You didn't promise me nothing.

One day last October, I drove out to an old jail in the town of Carrollton, Mississippi.

*Madeleine Baran: OK, we're at the old jail.
(walking)*

The jail's been closed for about 20 years. It was built right after the Civil War in 1870. It's a two-story brick building with blueish-gray paint peeling off it and barred windows in the front.

Our reporter, Parker, had gotten permission from the sheriff for us to go in. She got there before me.

*(Knocks) (Door opens)
Parker Yesko: Hello.
Madeleine Baran: Hi.*

Parker Yesko: Bring your flashlight.

Madeleine Baran: Is there any electricity in here at all?

Parker Yesko: Uh, in this building? I don't think so.

Parker had found something she wanted to show me.

Madeleine Baran: OK, so we are entering the jail cells.

We walked down a narrow hallway. The cells were on our right, and there was a barred window on the left side that cast a dim ray of light inside.

Parker Yesko: All right next cell over.

We got to the last cell, the one all the way at the end of the hallway. There was a red velvet Christmas bow wrapped around the bars about eight feet up. Someone had left a box of nails and a condom wrapper on the little tray where the jailer would pass food to the inmates. There was an empty bottle of Slice soda on the ground.

The cell door was open, so we walked inside. And as we did, the sunlight faded, so I pulled out my flashlight. And as I shined the flashlight around, I saw something written on the wall next to a bottom bunk.

Madeleine Baran: 'Cookie heart Regina,' in this like childish, like this teenager handwriting.

Parker Yesko: There's graffiti on the wall that says Cookie. I mean he definitely was here. We don't know exactly when, but—

Madeleine Baran: This was his cell at some point.

Parker Yesko: Oh yeah.

Cookie. Odell Cookie Hallmon. The state's most important witness in the Curtis Flowers case. The man who testified that Curtis confessed to him in prison.

This graffiti was the closest I'd gotten to Odell Hallmon. And it was strange to see traces of him still in this jail after so many years. But I wasn't there to look for Odell's graffiti. I was there to look for records of his crimes. And Carroll County stores some of its criminal records in this old jail.

I was trying to find out what had happened back in 2001 when Odell Hallmon recorded those videos with the D.A.'s investigator. I wanted to find out if Odell had been facing any charges at the time and whether he'd gotten anything in exchange for helping the prosecution in the Curtis Flowers case. If Odell had gotten something, that would be really important because it would contradict what the D.A. Doug Evans has said in court — that he didn't give Odell anything. And

it would seriously call into question whether Odell was telling the truth when he got up on the stand in the courtroom and told jurors that Curtis Flowers had confessed to him.

I decided that the way to figure this out would be to look for records that might show if some kind of deal had been made back in 2001. I was looking for any dropped charges or any unusual sentence — anything that might indicate that Odell got something — anything — for helping out the state.

As best I could tell, no one had done this before. No one had really dug into the full history of Odell “Cookie” Hallmon. I had no idea what I would find.

This is Season 2 of In the Dark, an investigative podcast by APM Reports. I’m Madeleine Baran. This season is about the case of Curtis Flowers, a black man from a small town in Mississippi who’s spent the past 21 years fighting for his life, and a white prosecutor who’s spent that same time trying just as hard to execute him.

Some of the old cells in the Carrollton jail were filled with filing cabinets stacked on their sides on the metal bunks. We started climbing onto the bunks to open them — looking for any criminal records that might mention Odell “Cookie” Hallmon.

(Sound of looking in filing cabinets)

Madeleine Baran: I feel like this is the sort of thing a bat flies out of. Don’t you?

Then we noticed some smaller drawers just lying out in the hallway. Each one was crammed full of index cards. They were booking cards for the jail.

Madeleine Baran: It’s just like jam packed in this. It’s like a shoebox full of these cards, like these five by seven cards. Is that a dead spider?

Parker Yesko: Yes, definitely. Let’s take them all.

Madeleine Baran: OK.

(walking sounds)

We grabbed these files and hauled them over to a desk in another room.

Madeleine Baran: OK, so we’re looking for Odell Hallmon on these cards. So where are the H’s?

Parker Yesko: They’re in this one.

Madeleine Baran: This one?

Parker Yesko: This super packed one. Yeah.

Madeleine Baran: OK, cool.

Natalie Jablonski: H’s!

Madeleine Baran: Yeah we’re in the H’s. Harper, Harris, Harris, Harris, Harris.

Parker Yesko: They’re all stuck together.

Madeleine Baran: Hall. Odell, there he is. Date of birth 11-19-75. This is Odell. Alias or nickname: Cookie. There he is.

Parker Yesko: Build heavy. Complexion light.

Madeleine Baran: Occupation: none: The charge is, or the arrest was for aggravated assault on, oh, the day before Christmas Eve, 12-23-92. OK. Oh, here he is again. Odell Hallmon, Jr. This is from April 7th, 1993, for concealed weapon. Alias or nickname: Cookie. Here's another one. Odell Hallmon, Jr., August 14, 1991. Hold for reform school? How old is he?

Parker Yesko: Sixteen.

Madeleine Baran: Sixteen. Aggravated assault.

Natalie Jablonski: Is this another one?

Madeleine Baran: You guys, this just keeps going.

(sound of flipping through the cards)

Madeleine Baran: Hallmon. There he is again. Odell Hollman, Jr. April 7, 1992. Simple assault. Here's another one. July 29, 1991. Aggravated assault. This guy has got so many cards.

The booking records in the Carrollton jail were for just an eleven-year period and just from one county. Doug Evans' district — the Fifth Circuit Court District of Mississippi — has seven counties spread out across north central Mississippi, and there are sheriff's offices in each one, and many small-town police departments.

Our reporter Parker started calling around to the clerks at all of these places, asking them to dig through their records.

Clerk: And you want arrest records?

Parker Yesko: Yeah.

Clerk: And what was the name you were looking for?

Parker Yesko: Odell Hallmon. H-A-L-L-M-O-N.

Clerk 2: That would take a while to find, 'cause I couldn't tell you where they're at. They're here somewhere. I don't know. I would have to dig back in the back.

Clerk 3: I am still working on it, Miss Parker. All our records are in files, and you know we're kind of old school still, so it takes a while to be digging, you know, since all way back to the '90s.

Parker: I hear you.

After months of doing this, we ended up with more than a thousand pieces of paper — copies of arrest reports, jail bookings, criminal indictments. And we put all of this onto a timeline. The timeline was more than fifty pages long.

It began in 1988 when Odell was just twelve years old. Odell was arrested for aggravated assault.

It continued from there.

Arrests for fighting, for disturbing the peace, for simple assault, for aggravated assault, for burglary, for stabbing a man in the neck and head.

And that was all before Odell Hallmon's eighteenth birthday.

In the next few years after that, the arrests continued. Odell racked up charges for trespassing, probation violations, robbery, and assault.

But what I was most interested in were four arrests that came in the months leading up to Odell "Cookie" Hallmon giving those statements to the D.A.'s investigator about Curtis Flowers. Those are the videos that you heard in the previous episode.

Here's what happened in the months leading up to Odell recording those videos.

Four arrests.

First. In July of 2000, about nine months before those videos were made, the cops got a call that Odell was out selling drugs around town. A sheriff's deputy named Brad Carver headed out with his partner, and they tracked Odell down at a gas station.

Brad Carver: We got there, he was not in his car. So we knew we had to be in the service station. So me and another deputy went inside the service station, and we asked the clerk, we was like— She knew who he was because he was from that area. We said, 'Where's Cookie at?' And she pointed. He was in the bathroom. When he come out of that bathroom and saw us, he lit out and went, kind of went right through both of us, and went through the front door running. And I ended up tackling him. And I tackled him. And that day he had like probably like eleven crack rocks on him that day.

Odell was arrested and held briefly in jail.

Second. In February of 2001, three months before those videos were made, Odell was caught with a 9mm pistol. Odell was a felon, and so it was illegal for him to have a gun. He was arrested. He bonded out.

Third. In March of 2001, two months before those videos were made, Odell was arrested for possession of marijuana and for armed robbery. He bonded out for that, too, and went home.

And finally, just two weeks after that, Odell got pulled over by some Winona cops. They searched his car and found 132 rocks of crack cocaine. Odell was arrested and held in jail on a half-million-dollar bond.

And so, four possible charges hanging over Odell Hallmon. That's what was going on when Odell went into that room in May of 2001 with the D.A.'s investigator John Johnson and told him that he had information that they would want to help them in the case against Curtis Flowers.

Just one week after Odell made that video, one of the charges, the one for armed robbery, was dismissed by the county attorney.

Odell did plead guilty to illegal possession of a firearm, and he ended up serving a year in jail.

As for the other two possible charges — the drug ones, the ones for possessing crack — Odell wasn't even indicted for those charges, let alone convicted of them. Those two drug cases seemed to just go away.

I tried to find out why that had happened. I called the D.A.'s office, but Doug Evans didn't return my calls. I sent Doug Evans' office a public records request about it, but Evans didn't respond.

I thought that someone who would definitely know whether Odell got a deal in exchange for his testimony in the Curtis Flowers case would be Odell's lawyer from back then, a public defender named Lee Bailey — not to be confused with the famous attorney F. Lee Bailey who represented O.J. Simpson. Odell's Lee Bailey was actually in the room when Odell made that statement in one of those videos back in 2001. I went to see him at his office with our reporter Parker.

Lee Bailey: What can I do for you?

Parker Yesko: How was today? How was court?

Lee Bailey: Uh, tiresome.

Parker Yesko: Yeah?

Lee Bailey: Yeah, just standing up there all day long and trying to talk to these idiots and get them to admit that they're wrong.

Parker Yesko: (laughs)

Madeleine Baran: So the idiots are your clients? OK, got it.

Lee Bailey: All right, what y'all want?

I asked Lee Bailey about that video that was made back in 2001 — the one that he was there for as Odell's lawyer.

Madeleine Baran: And so, um, like in 2001, there's a video where Odell Hallmon is giving a statement to law enforcement. Do you remember this?

Lee Bailey: Nuh-uh. No. I don't remember anything about that.

Madeleine Baran: OK.

Lee Bailey: That was a long time ago. You know, I had a lot of cases. They all run together after a while.

I asked Lee Bailey if he had any documents from Odell Hallmon's case from back in 2001, anything that would show whether the D.A. gave Odell anything in exchange for giving a statement.

Madeleine Baran: Would you have any record of whether or not Odell giving that statement was helpful in his case?

Lee Bailey: Would I have any? No. I get rid of stuff as fast as I can. I don't want them coming back saying, 'I want a copy of my, my motion for discovery,' you see. So if I kept all that, we'd have to have another room with nothing but that.

Madeleine Baran: That would be a great room though.

Lee Bailey: (laughs)

Madeleine Baran: So, no chance that you would have that written down anywhere?

Lee Bailey: No. No.

Madeleine Baran: Shoot. OK.

So Lee Bailey told me that it's possible Odell Hallmon could've gotten a deal in exchange for something, but he just doesn't know because he got rid of the file.

But he did tell me how it works when the D.A. is considering offering a deal to one of his clients in exchange for information.

Lee Bailey: It has to do with the district attorney and assistant district attorney, and it has to do with the law enforcement officer who was, who was arresting him and how they felt about it. It's hard to explain. Sometimes they—. Say they offer you ten years, and you go to them and start talking to them about different things, maybe that Cookie could tell them about, you know, other crimes in the community. You see? Then they could come on down if he did that. See?

Madeleine Baran: So did he have something that he had that was valuable?

Lee Bailey: I don't know. I don't remember.

I went to talk to Brad Carver about this. He's the deputy who had tackled Odell in the parking lot and caught him with drugs. He's now the warden of the county jail in Grenada, Mississippi, the biggest city in Doug Evans' district. I interviewed Brad Carver at his office at the jail. And I asked him what he thinks happened with that drug case against Odell.

Brad Carver: He worked something out with someone, either the D.A. or some other agency, because he didn't stay in jail long.

Brad Carver told me he doesn't actually know if the D.A. made a deal with Odell, but he told me that Odell was well known for trying to get out of charges by offering information.

Brad Carver: I'm going to be honest with you. I know how Cookie was. He hated being locked up. So he had a lot of information on other drug dealers and other people that he

would always snitch on, or tell stuff on. He would make a little phone call and talk to folks, and see that would help him a lot, either cut his time down or not even have to go on stuff.

And although Brad Carver said he doesn't know how exactly Odell got out of being charged in that drug case, his best guess is that it probably had something to do with the case against Curtis Flowers.

Brad Carver: I think he also had a lot of pull because he was like an eyewitness or something dealing with the Tardy Furniture murders. And he was testifying on the guy that actually did the killing, so I know he had some, you know, that helped him a lot out of some stuff, too, see, so. I think it did.

Madeleine Baran: Would you ever hear that directly from like an attorney involved in the case or someone at the courts or something like that?

Brad Carver: No, I never heard anything like that. Nuh-uh.

Madeleine Baran: But if he didn't have information you'd expect the man would have been in prison a long time?

Brad Carver: Correct, yes, no doubt. Yes. ma'am

Madeleine Baran: So do you know what he ended up saying to get out?

Brad Carver: I really don't. Now that's kind of over my head. I don't know, so.

It's been 17 years since Odell Hallmon became a witness for D.A. Doug Evans in the case against Curtis Flowers. Odell has testified for the state in four trials. He's become one of Doug Evans' star witnesses.

But Odell being Odell — or Cookie being Cookie — his crimes didn't stop after he decided to work with the prosecutor. He kept on breaking the law. And prosecutors were left with a choice: When the state's star witness gets caught committing crimes, what kind of punishment should he get?

It didn't take long for Odell to cause trouble again.

In 2003, while D.A. Doug Evans was waiting to see whether Curtis Flowers' conviction from his second trial would be overturned, waiting to see whether he'd need Odell to testify in a third trial, Odell Hallmon was arrested for aggravated assault and robbery. But the charges were dropped entirely. According to the case file, they were dropped by the justice court because of a lack of evidence.

A few months after that, also in 2003, Odell got in trouble again. According to news coverage of this crime, quote, "a lone gunman went on a shooting rampage, drove by a yard with four or five people in it and just stopped and went to shooting towards the house and the people." No one was injured in the shooting, but one of the bullets did go through the house and struck the TV.

Odell Hallmon was arrested for it and charged with felony shooting into a dwelling. But the case was dismissed. The court record says it was because the witnesses couldn't be found.

The next year, 2004, Odell testified for the prosecution in Curtis Flowers' third trial, telling the jury that Curtis had confessed to him.

Later that same year, while Curtis' conviction from that trial was on appeal and D.A. Doug Evans was waiting to see whether he'd need Odell to testify in a fourth trial, Odell was caught with nearly ten grams of cocaine. A few months after that, he was caught with about 50 grams of cocaine and an illegal gun.

All three of those crimes were felonies. By this point, Odell had committed so many crimes that he was eligible for Mississippi's version of the three strikes law. In Mississippi, it's called "habitual offender."

The grand jury indicted Odell, and if he'd been convicted this time, he could have been sent to prison for 30 years without parole.

But that didn't happen. Because the D.A. offered Odell a deal.

He decided to drop the habitual offender charge against Odell, and he decided to drop all but one of the other charges against him. Odell pleaded guilty to the one remaining drug charge, and he ended up serving about eight years.

While Odell was locked up, he continued to testify in the Curtis Flowers trials — the fourth one in 2007, and the fifth one in 2008, and the latest one, the sixth one, in 2010.

During the time that Odell was testifying in those trials, according to the documents we obtained, Odell racked up dozens of infractions in prison — for fighting, for hitting a female officer with a tray, for having a shank, for having weed in his underwear, for trying to bite an officer, and for having what appeared to be a *spear* in his cell, among many other things. In April of 2010, Odell was identified by prison officials as a quote, "disruptive core member" of the Vice Lords.

I talked to a former police officer named Michael Gross who used to work in the jail. So he'd see Odell cycle in and out. I talked to him at his house. His kids were in the next room.

Madeleine Baran: What was he like in jail?

Michael Gross: Oh, he was terrible. The worst inmate of the prison. Knocking, kicking on the cell all day. Even for the other inmates, you know it was just, intimidator. We couldn't really put him in population 'cause everybody was pretty much scared of him.

Madeleine Baran: What would he do to people?

Michael Gross: Like I say, he had a mouthpiece on him. He know how to talk to you. He'll, you know, he's a guy you wouldn't want to trust because like he can connive anybody. He'll make a german shepherd think he's a bulldog. (laughs) I know I use a lot of analogies, but that one kind of, you know.

Madeleine Baran: I like that one.

Michael Gross: (laughs)

Madeleine Baran: (laughs)

Michael Gross: Yeah, what kind of guy he was. You know, he can—.

Madeleine Baran: Even in a jail, where you'd think there's a bunch of guys who maybe also have those skills, but he was better at it?

Michael Gross: He'd been in, doing it for years.

Madeleine Baran: Hmmm.

Michael Gross: He'd been doing it for years.

But on the stand, in the Curtis Flowers trials, Odell presented himself as a changed man. He described himself — not as schemer, but as a victim, the kind of guy who's easily misled by the wrong crowd. Odell told the jurors that he used to be especially vulnerable to offers of cigarettes. Odell said, quote, "Cigarettes hold a big power over you if you ain't got God in your life." But now, Odell told the jurors, Christ had come into his life, and, quote, "I done start doing what is right for a change."

To Michael Gross, the former cop who'd seen Odell locked up, all of this was hard to believe.

Madeleine Baran: So did people in the jail think, like the people who worked in the jail, think Odell was credible?

Michael Gross: Nope. (little laugh) No.

Madeleine Baran: Did anybody think he was credible?

Michael Gross: No, no. no. And I don't understand how Doug Evans used him, even. You know, I guess you say these in-jail snitches, they're pretty much what they use.

Madeleine Baran: So if Odell had, like when you were working in the jail, if Odell had come to you and said, 'Hey, I was talking to this other guy in the cell and he told me he confessed to some crimes,' would you believe him?

Michael Gross: No. I'd do some investigation, but I wouldn't believe him.

Odell Hallmon got out of prison in 2013. And not long after that, he was in trouble again. And this time, what Odell did is the kind of crime that people almost never get away with.

It happened while Curtis Flowers' conviction from the sixth trial was on appeal and D.A. Doug Evans was waiting to see whether that conviction would be overturned, waiting to see whether he'd need Odell to testify in yet another trial, a seventh one.

It was 2014, and Deputy Brad Carver got a call about Odell.

Brad Carver: I basically remember like one morning we got a tip on him, a call from a female that had gave us some information about him transporting a lot of drugs and weapons in the car and supposedly, you know, was transporting some dope to somebody's house to drop it off.

The sheriff's office already had two other warrants out on Odell, and so Deputy Carver and two other officers headed out to find him.

Brad Carver: We saw him coming from the house he was supposed to be coming from, dropping the dope off.

Odell was driving away when Deputy Carver and the other officers got there. They turned on their lights and ordered Odell to pull over. But Odell refused. Deputy Carver and the other officers tried to use their cars to box Odell in to stop him from driving off. Then Deputy Carver got out of his squad car and started walking toward Odell's car to try to arrest him.

Brad Carver: Yelling, 'Stop! Stop the vehicle!' You know, 'Don't go! Just stop, stop, stop, stop, stop.'

But Odell didn't stop. Instead, he sped right toward Deputy Carver, like he was aiming for him.

Brad Carver: He just started coming towards me, and I just kind of dove off, out of the way.

Madeleine Baran: So if you hadn't dove out of the way, would he have hit you?

Brad Carver: Oh, no doubt. I mean he was trying to run me over, yes. He was. I mean it was, I mean it was, had my heart racing, you know. I mean it was a pretty, pretty big deal.

Then Odell fled. As he raced away, he hit Deputy Carver's squad car, and Carver tried to shoot out his tires.

Brad Carver: I just pulled my weapon and took out the front left and back right tire, thinking it would kind of like maybe, you know, like slow him down, but it didn't. He was running on rims. And he ended up getting away from us.

And then a few days later.

Brad Carver: We ended up finding his car, on a real back county road in Carroll County, burnt up. So he'd burnt the car up. Yeah, I guess any evidence or anything in the car, so.

Odell had burned up his car, and now he was on the run. The sheriff's office got a judge's order to track Odell's phone and they called in the U.S. Marshal Fugitive Task Force. The federal

marshals found Odell hiding out at a Red Roof Inn in Jackson. They arrested him and put him in jail.

Madeleine Baran: Seems like one of the more serious crimes you can commit to try to run over a sheriff's deputy.

Brad Carver: I agree, I mean correct, yes.

Odell Hallmon was indicted for aggravated assault on a law enforcement officer. And again, a grand jury indicted him as a "habitual offender." If Odell had been convicted of this crime, he would have been sentenced to life in prison without the possibility of parole. He would have been gone for good.

But that didn't happen, because District Attorney Doug Evans did not push to bring the case against Odell to trial right away. Instead, it kept getting postponed.

Months passed. Then a year. Then longer.

Madeleine Baran: Why is there years passing?

Brad Carver: (sighs) I have no earthly idea. (sighs) I mean I just, I don't know, really. I know it's just it's a bad deal. I don't know, it's just how the system works. I mean I don't know. I mean, he should have been locked up years ago and never, you know, let out, the way I feel, I mean. But you know, that's, I don't know I have nothing to do with that, so—. Once we pretty much give all of our information over to the district attorney's office, we just, I mean, you know, we're waiting to hear from them, you know, after that, so.

I talked to a lot of other law enforcement in the area about Odell. And they told me, they were just as puzzled as Brad Carver was, as to why Odell kept getting out of jail, why he was always back on the streets. I talked to a sheriff's deputy named Calvin Young.

Calvin Young: I don't know what the reason he was being let released so soon on some of the stuff that he might have been charged on, but he was. I don't know why that was happening, but he would go in and wasn't long he'd be out.

Michael Gross: He was just, uh, what's the word I want to use? Just a menace to society, as they would say.

This is Michael Gross, the former police officer who'd worked in the jail.

Michael Gross: He should have been locked up long time ago.

Madeleine Baran: Why do you think he kept getting in and out so quickly?

Michael Gross: Superman. Doug Evans. Doug Evans. Doug Evans is the D.A., over Carroll, Montgomery, and Attala and Grenada. Doug Evans allowed him to continue to

stay out. You know, they created a monster, the state of Mississippi did. That's what I said. With Odell Hallmon they created a monster.

The law enforcement officers we talked to said that Odell Hallmon should have been put away a long time ago. What Odell did next would show just how right they were. That's after the break.

(BREAK)

In 2016, Odell Hallmon was living in a town about 15 minutes from Winona. He was dating a woman named Marquita Hill. They'd dated off and on for years. They had a son together.

Odell would beat up Marquita all the time. Marquita's brother, Craig, told me about it.

Craig Hill: He used to hit her a lot, though, blacked her eye and stuff. And then when she came home, like she had makeup on or have something covering her eye, or—. He did hit her a lot, though.

In the spring of 2016, Marquita moved herself and her 12-year-old son into the house of her mother, Carolyn Ann Sanders.

Craig Hill: She went to go live with my mother 'cause she had the burglar bar doors, the alarm system. She felt safe down there.

On April 27, 2016, at around two in the morning, Marquita's sister Renee got a phone call. Renee told me about it one day last summer as we sat in folding chairs under a tree in front of her trailer.

The phone call Renee got was from Marquita and Odell's 12-year-old son.

Renee Hill: He called me with the calmest voice in the world. (whispering next part) 'Auntie, get up. Come down here. My daddy shot and killed my mama and grandmama.' Just as calm. Just like that.

Madeleine Baran: He saw it happen?

Renee Hill: He saw his mama— His dad shoot his mama and his mom take her last breath.

Odell had killed his ex-girlfriend Marquita Hill while their son was in the room. According to the Hill family, what happened next was that the boy ran into his grandmother's bedroom and told his grandmother to get in the closet, but his grandmother told him, 'No. You get in the closet.' So the boy did. Then Odell came into the grandmother's bedroom and shot her in the head. Odell's son was trying to stay as still as he could in the closet. Odell shot into the closet, but he missed, just barely. The bullet grazed his son's arm. Odell walked over to the closet and looked inside. His son played dead and held his breath. And then Odell left.

And his son picked up the phone and called his Aunt Renee.

After the phone call, Renee raced down the street, pounded on her brother's window, and woke him up. Then they rushed over to the house together. Her brother went inside and got Marquita's son. The police hadn't gotten there yet.

And while everyone waited for the police to get there, people from the neighborhood started coming out of their doors and walking over in the middle of the night to see what was going on.

Renee Hill: It was a yard full before the police, before any police got there.

Madeleine Baran: How long did it take the police?

Renee Hill: Ooooh, it was like almost an hour. We called 911. They was like, they were busy.

The police didn't get there right away because they had other crimes to respond to that night. Odell hadn't just killed Marquita Hill and her mother Carolyn.

He'd been driving around all night on a killing spree. He went to one house, twenty minutes away, crept up to a window and aimed his gun at a man who was sleeping inside, fired and shot him. The man died. That man's name was Kenneth Loggins.

Odell went to another house and shot a man there five times. That man, Marcus Brown, actually survived.

And after all of that, Odell Hallmon drove to the courthouse to turn himself in. It was around four in the morning, so the courthouse was closed. By this time, the sun was almost up. Eventually, two deputies arrived, and they arrested Odell and put him in jail.

This triple murder was the biggest crime in the area since the murders at Tardy Furniture twenty years earlier.

In the Tardy Furniture case, Doug Evans' investigators had met many times with the family members of the victims. This is something that Evans has said is important. He'd actually campaigned on it. In one of his campaign ads, he said, quote, "As your District Attorney, I will work closely with all victims or the relatives of deceased victims, keeping you informed of all relevant court proceedings, any possible plea negotiations, and your rights to restitution as afforded by law."

But in this case, that's not what happened.

Fourteen days after the murders, Renee Hill, the woman whose sister and mother had been killed by Odell, got a phone call. It was a woman from the D.A.'s office.

Renee Hill: All they told us, to come to the courthouse. They had something for us. They didn't tell us what we were coming for or anything.

Renee had some family members come with her, but a lot of them didn't because it didn't sound like something where everyone needed to be there. It just sounded like some kind of meeting.

When Renee got there, she was ushered into a room. Some of the other family members of Odell's victims were there, too.

Then the District Attorney Doug Evans walked in.

CELL PHONE RECORDING: Doug Evans: Any of y'all don't know me, I'm Doug Evans, your district attorney. Our office is handling this case.

One of the members of the Hill family recorded this meeting with Doug Evans on a cell phone. And another family member gave me a copy of it.

CELL PHONE RECORDING: Doug Evans: I couldn't let anybody know what was going on up until this point because part of what we were doing this morning, we can't let out what's going on. We had a grand jury recalled this morning. We recalled a special grand jury to hear this case and we indicted Odell on three counts of first-degree murder, one count of aggravated assault and one count of —.

Doug Evans told the family members, the reason he'd had them all come down was because this whole thing was basically wrapped up. Odell had been indicted just that morning on three counts of first-degree murder, one count of aggravated assault, and one count of illegal possession of a firearm.

Doug Evans told them something else, too — that Odell Hallmon had agreed to plead guilty, and that actually, he was about to be brought into this courthouse right now, because there was going to be a hearing, and that was going to be it.

Renee Hill: We gets over there and then they is like, 'Oh, he having court today. He pleaded guilty.' We were all was like, huh?

CELL PHONE RECORDING: Doug Evans: Also, I want to let y'all know that at this point, it looks like he is willing to plead guilty to the maximum penalty to all of these charges, which is serving the rest of his life without any possibility of parole.

Renee Hill: And they was like, it was just best he, he's pleaded guilty to it and this is, so let the judge just give the sentence and y'all deal with it. That's the way they actually just

put it to us. Just go along with it. He won't never see daylight. He won't never see the outside again, so you don't have anything to worry about.

For Renee, and for a lot of other people in the Hill family, life in prison for Odell was not what they wanted. They wanted the death penalty, although they'd barely had a chance to think about it. They'd just buried their two family members four days earlier.

Renee Hill: Why do he get to live and breathe and eat when they, when they didn't get to? He didn't give them a chance.

Madeleine Baran: So you would hope he would seek the death penalty?

Renee Hill: Mm-hmm.

Madeleine Baran: And it sounds like, so like you didn't, like you had no idea any of this was happening, like Doug Evans didn't come to you and say, 'Would this be acceptable to you?'

Renee Hill: No. He never called not one of us. Not one.

For a district attorney to seek the death penalty in Mississippi, a crime has to meet certain criteria. With a few exceptions, like killing a police officer, it's not enough to just murder someone. Most of the time, for a murderer to be eligible for the death penalty, the person needs to have committed another crime, too, at the same time — murder plus another felony. There's actually a list of felonies that count. They include child abuse, burglary, robbery, sexual battery, kidnapping, among others.

Like in the Curtis Flowers case — Curtis killing four people — that by itself would not have been enough to get the death penalty. Doug Evans needed to show that Curtis had done one of those other crimes at the same time. In Curtis' case, Evans said, that other crime was robbing the furniture store.

In the case of Odell Hallmon's triple murder, it certainly seemed possible that Odell had committed one of those other crimes, like burglary when he broke into the house where Marquita was living.

But to figure that out, law enforcement would need to conduct a thorough investigation. They'd need to spend a lot of time investigating each one of the three crime scenes, trying to search all the places where Odell Hallmon might have hidden evidence, talking to as many witnesses as they could possibly find.

And that kind of work, it just can't happen in a few days.

And it didn't happen in this case.

The whole thing was wrapped up in 14 days — 14 days from the night that Odell Hallmon went on a killing spree to this moment in the courthouse when the plea deal had been made and the case was closed.

In this meeting at the courthouse, the family members of the victims asked Doug Evans about the investigation. They asked Evans if law enforcement had ever found the gun that Odell had used. Doug Evans told them no. They asked Evans whether anyone had figured out why Odell had done this, what his motive was. Doug Evans told them no.

CELL PHONE RECORDING: Doug Evans: He came up with some different general things, but nothing specific.

And Doug Evans told them it was almost like as soon as Odell Hallmon committed these murders, he regretted it.

CELL PHONE RECORDING: Doug Evans: And I, I think that's kind of what he said. He flipped out. It's almost like he did it and as soon as he did it, he regretted it because he turned himself in and he started pretty much admitting what he did right after that.

It's not true that Odell regretted the murders right away. Not at all.

And the reason I know this is because I got a copy of the incident report that the Montgomery County Sheriff's Office made after the murders, the report from the deputy who went to the courthouse to arrest Odell that morning. That deputy's name is Jim Burton, and in his report, Burton writes that as he was handcuffing Odell, Odell asked him, quote, "if they were all dead." Deputy Burton told Odell he didn't know. A few minutes later, Odell asked if Kenneth Loggins was dead. Burton told him yes. Odell said, "Good." Then Odell asked if Marcus Brown was dead. Deputy Burton told him no. And Odell said, "He should be."

After that meeting, the families were led into the courtroom. Odell Hallmon was brought in, too.

Renee Hill: He was turned toward the judge, and we was sitting at the back, but you could tell by the side of his face, he was standing there with a smirk on his face. He never turned around and apologized or said anything.

Madeleine Baran: Sometimes people whose family members have been killed or the victims of crimes get to make a statement in court. Did you?

Renee Hill: They didn't offer us that. They wanted us to just go along with what, what was done.

Odell pleaded guilty, and he was sent away.

Renee Hill can't help but wonder whether all of this was preventable — whether her mother and sister might still be alive if the D.A. Doug Evans had been tougher on Odell Hallmon back when he was committing all those crimes in the years leading up to the murders.

Renee Hill: He shouldn't have even been out. Maybe if actions would have been took then, it would all would've been a different outcome. I mean, it has you thinking—why? Don't anybody want to see justice? Whether she, they black, white or other? I mean it would be anybody. I want to see justice for anybody.

Renee and her brother Craig are now raising Marquita's son together. They just marked two years without their sister and mother.

Craig Hill told me that what has stuck with him, through all of this, is how little power he and his family had.

Craig Hill: I feel helpless, I feel like we had no help, period, like nobody assisted you. Nobody spoke up and said, 'Hey, this is not right.'

The district attorney Doug Evans had made a choice. And it led to disaster.

Doug Evans could have pushed to have his star witness, Odell Hallmon, locked up years ago. He could've tried to put him away for life — long before Odell had killed anyone.

Doug Evans could have done that. But he chose not to.

Odell Hallmon is now serving three life sentences at Parchman prison — the same prison where Curtis Flowers is on death row.

I decided to try to reach Odell there. To try to talk to him. To find out what he would say now that there were no deals left to be made, now that he was locked up in prison for life with no chance of getting out.

As far as I can tell, the only thing that Odell Hallmon has ever said to a reporter was just a couple of words. He'd said it while being led into a police SUV after his court appearance for the three murders. He was wearing an orange jumpsuit that was too small for him, and he was barefoot. His hands were cuffed in front of him. As Odell climbed into the SUV, a TV reporter asked him a question.

(TV news report)

Reporter: Did you do these crimes you're accused of?

"Whatchoo think," he said.

Odell Hallmon: Whatchoo think?

The standard way to reach someone in prison is to send them a letter. And I did that.

But we thought there might be a better way to reach Odell. A lot of people told us that Odell, despite being locked up inside one of most notorious state prisons in the country, was sending out Facebook friend requests.

Even the Hill family – the family whose sister and mother Odell murdered – they got those messages, too.

Craig Hill: 'Cause like he tried to contact me through Facebook one time and I like spazzed out on him.

Madeleine Baran: So Odell was trying to contact you from Parchman?

Craig Hill: Yeah.

Madeleine Baran: Over Facebook.

Craig Hill: Uh huh. Like he sent me a friend request and everything. And I'm like, 'Who?'

Madeleine Baran: After he killed your mom and your sister?

Craig Hill: This was probably like, maybe a month or two after. And like he was sending a lot of people in that area, asking them for money. He was like, 'Yeah, yeah, yeah, can you send me some money?' Like asking people for money. He's been asking a lot of people for money in this area.

And so, one night, our producer Samara sent Odell Hallmon a Facebook friend request.

And then, we heard back.

That's next time, on *In the Dark*.

In the Dark is reported and produced by me, Madeleine Baran. Senior producer Samara Freemark, producer Natalie Jablonski, associate producer Rehman Tungekar, and reporters Parker Yesko and Will Craft.

In the Dark is edited by Catherine Winter. Web editors are Dave Mann and Andy Kruse. The Editor in Chief of APM Reports is Chris Worthington. Original music by Gary Meister and Johnny Vince Evans. This episode was mixed by Corey Schreppel.

You can see the timeline we put together of Odell Hallmon's criminal record—all the arrests, charges, and dropped cases on our website, inthedarkpodcast.org. And we've also posted a video tour of the old Carrollton jail, so you can see what it's like.

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